IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
WRIT PETITION NO. 559 (MS) OF 2006

Anand Gupta, S/o Sri Hariom Gupta, R/o 202 South Vanashthali, Ballupur Chowk, Dehradun.

.....Petitioner.

Versus

1. Hemwati Nandan Bahuguna Garhwal University Sri Nagar Pauri Garhwal, through its Registrar.
2. Himalayan Institute of Technology, Dehradun, through its Director.
3. Principal Himalayan Institute of Technology, Dehradun.

.....Respondents.

Dated: 16.05.2006

Hon'ble Rajesh Tandon, J.

Heard Sri Yogesh Pandey, Advocate for the petitioner and Sri L.P. Naithani, Sr. Advocate, appearing on behalf of the respondents. Both the parties have agreed that let the matter be finally disposed of at the admission stage.

By the present writ petition, the petitioner has prayed for a writ of mandamus commanding the respondents to declare the result of the petitioner's B.S.C. I.T. Course IV and V Semester and further direct to permit the petitioner to appear in the Examination of VIth Semester of the said course.

Briefly stated, according to the case of the petitioner, after completing his intermediate education, he got admission in B.Sc. I.T. Course 2003-06 in the Himalayan Institute of Technology, Dehradun, which is affiliated with Hemwati Nandan Bahuguna, Garhwal University. He has also appeared in the examintation of 3rd semester as a regular student.

However, result of the 3rd semester was declared and the petitioner was shown as unsuccessful candidate and was permitted to appear in back examination. He appeared in the IVth and Vth Semester also.

According to the further case of the petitioner, due to some unfair means, he has not been permitted to prosecute further study.

The petitioner has made a representation, but the same has not yet been disposed of.

Petitioner is permitted to make a fresh representation within a period of three days from the date of production of the certified copy of the order. If such a representation is filed, the same shall be disposed of before 22nd May, 2006 by assigning reasons for not permitting the petitioner to prosecute further studies.

Writ petition is disposed of accordingly. No order as to costs.

Copy of the order to be given today.

(Rajesh Tandon, J.)

16.05.2006
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